

REMARKS

Claims 1-10 remain pending in this application.

Rejections Under 35 USC § 103

Claims 1-5 and 7-9 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Mimura et al (U. S. Patent 6,080,364) in view of Bander et al (U.S. Patent No. 5,576,946). Claim 6 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Mimura et al ('364) in view of Koakutsu (EP 0359049). Claim 10 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Mimura et al ('364) in view of Kodosky et al (U.S. Patent No. 4,901,221). These rejections are traversed as follows.

Patentability of the Claims

Claims 1 and 10 have been further amended to define an operation step required to be operated by an operator.

According to the present invention, the display means displays all operation steps, operated by a controller and an operator, required for starting up the automatic analyzer, operation step/steps required to be operated by the operator, such as the residual amount of reagent is smaller than the predetermined level, at the starting up operation being displayed in a special displaying manner different from other displaying manner of operation step/steps not required to be operated by the operator in order to inform the operator of the operation step/steps requiring the operator's operation. This is very useful for an inexperienced operator.

The Examiner acknowledges that Mimura does not teach displaying means for displaying all operation steps required for starting up the automatic analyzer. To allegedly supply this deficiency, the Examiner relies on Bender.

Applicant's acknowledge that Bender shows that a manufacturing process is displayed on-screen in an animated graphic representation with real-time presentation of instantaneous parameter values. Further, Bender shows the on-screen execution and control of start-up, operation, alternative operation, suspended operation, shut-down, and serving functions. According to Bender, the operator can create the recipe for arranging the icons displayed on the edit program screen as shown in Fig. 5.

However, Bender fails to disclose and suggest that all operation steps required for starting up the equipment are displayed and that operation step/steps to be operated by an operator are displayed in a special display manner at the start up time. Accordingly, amended claims 1-5 and 7-9 are believed patentable over the combination of Mimura and Bender.

With respect to the rejection of claim 6 over Mimura in view of Koakutsu et al., the Examiner acknowledges that Mimura does not disclose reagent management as an operation step and does not specifically teach the steps of rinsing and priming the flow pads, but cites Koakutsu et al. as teaching that operations of rinsing/priming the container and/or fluid communication means are routinely used in the art. There is no teaching in each of these references, however, of combining their teachings in the manner done so by the Examiner.

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With respect to the rejection of claim 10 over Mimura in view of Kodosky et al., the Examiner acknowledges that Mimura does not disclose a configuration display section showing configuration of the automated analysis system but cites Kodosky et al., as disclosing a computer system having a display console for displaying images representing the configuration of the system and allowing the system control.

Applicants again note, however, that there is no suggestion in either of Mimura or Kodosky et al., of combining their teachings in this manner.

Accordingly, it is submitted that claims 6 and 10 are also patentable.

Conclusion

In view of the foregoing amendments and remarks, Applicants contend that the above-identified application is now in condition for allowance. Accordingly, reconsideration and reexamination are respectfully requested.

To the extent necessary, Applicants petition for an extension of time under 37 CFR 1.136. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, or credit any overpayment of fees, to the deposit account of Mattingly, Stanger, Malur & Brundidge, P.C., Deposit Account No. 50-1417 (referencing attorney docket no. KAS-185).

Respectfully submitted,

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